

## REMARKS

This Response is submitted in reply to the Office Action dated September 24, 2007. Claims 1, 24, 27, 34, and 35 have been amended. No new matter has been added by these amendments. Applicants respectfully request reconsideration of Claims 1 to 39 in view of the above claim amendments and the following remarks.

A Request for Continued Examination (RCE) is submitted herewith. Please charge deposit account number 02-1818 to cover the cost of the RCE and any other fees due in connection with the filing of this Response.

As noted above, Applicants have filed a Request for Continued Examination with this Response. Accordingly, Applicants request that the Examiner provide an upcoming Office Action which will “. . . identify any claims which he or she judges, as presently recited, to be allowable and/or . . . suggest any way in which he or she considers that rejected claims may be amended to make them allowable” in accordance with §707.07(d) of the MPEP.

Applicants have placed Claim 27 into independent form as suggested by the Office Action. Accordingly, Applicants respectfully submit that Claim 27 is allowable.

### **Rejection under 35 U.S.C. §102(b)**

The Office Action rejected claims 1, 35, 36 and 39 under 35 U.S.C. §102(b) as being anticipated by Barrie (U.S. Patent No. 5,833,537). Applicants respectfully disagree with and traverse this rejection for at least the reasons discussed below.

Independent Claim 1 is directed to a method for facilitating a play of a slot game after placement of a wager that includes, amongst other elements, (b) presenting symbols in each of the active reel segments, (c) providing an award, if any, based on the symbols presented in each of the active reel segments, (d) deactivating the active reel segments that are associated with a discontinue symbol, (e) determining which active reel segments, if any, have been deactivated, and (f) repeating (b) to (e) in the same play of the slot game without placement of another wager until a predetermined number of the active reel segments have been deactivated.

Barrie discloses a gaming device having indicators or symbols which are positioned on a playing field, such as in response to a game event or other event, and

which persist from one round of a game to a subsequent round or rounds of the game. Barrie discloses that certain indicators or symbols can persist through multiple rounds of the game. That is, certain indicators or symbols do not change through the multiple rounds.

The Office Action equates persistence of indicators or symbols to “deactivation” of those indicators or symbols. Thus, according to the Office Action, the indicators or symbols which persist through multiple rounds are deactivated. Under this interpretation, indicators or symbols which persist from one round are “deactivated” for another round. Barrie determines how many rounds a certain symbol will persist in the game. However, Barrie does not end the play of the slot game when a predetermined number of the persisted symbols appear in the game. Moreover, in Barrie, it appears that each round includes a spin of the reels after placement of a wager (col. 5, lines 27-30). Accordingly, each round in Barrie appears to constitute a different play of the game and the symbols in Barrie persist through multiple plays of the game. Applicants respectfully submit that Barrie does not anticipate deactivating any of the reels and repeating (b) to (e) in the same play of the slot game [without placement of another wager] until a predetermined number of the active reels have been deactivated.

Additionally, indicators or symbols which persist in Barrie are used in award determinations (col. 5, lines 60-63). However, independent Claim 1 includes “providing an award, if any, based on the symbols presented in each of the active reel segments.” The award of independent Claim 1 is not based on the symbols presented in any deactivated reel segments. Thus, unlike independent Claim 1, each symbol or indicator presented on the reels in Barrie is used in an award determination regardless of whether any of those symbols or indicators persisted from a previous round.

For at least these reasons, Barrie does not anticipate each and every element of independent Claim 1 and its dependent Claim 36. Applicants respectfully submit that independent Claim 1 and dependent claim 36 are patently distinguished from Barrie and in condition for allowance.

Applicants respectfully submit that independent Claim 35 and its dependent claim 39 are patently distinguished from Barrie and in condition for allowance for similar reasons as given above with respect to independent Claim 1 and dependent Claim 36.

**Rejection under 35 U.S.C. §103(a)**

The Office Action rejected claims 2-26, 28-34, 37, and 38 under 35 U.S.C. §103(a) as being unpatentable over Barrie in view of Vancura (U.S. Patent No. 6,033,307). Applicants respectfully disagree with and traverse this rejection for at least the reasons discussed below.

Independent Claim 24 is directed to a casino gaming apparatus hosting a game having at least a standard mode of operation operable after placement of a wager and a bonus mode of operation. The casino gaming apparatus of independent Claim 24 includes, amongst other elements, a processor programmed to (i) identify a predetermined symbol combination occurring on the display grid during the standard mode of operation to activate the bonus mode of operation, and during the bonus mode of operation, in the same play of the game, the processor programmed to (ii) randomly present symbols via a physical reel configuration which includes one or more active reels having corresponding reel strips, (iii) provide an award, if any, based on the symbols randomly presented via any of the active reels, (iv) deactivate any of the active reels presenting a discontinue symbol, (v) determine which active reels, if any, have been deactivated, and (vi) repeat the random presentation of symbols without placement of another wager, the provision of an award, if any, the deactivation of the reels associated with the discontinue symbol, and the determination of which reels, if any, have been deactivated until a predetermined number of the reels have been deactivated.

Barrie does not anticipate deactivating any of the reels presenting a discontinue symbol. In Barrie, certain symbols persist from one round to another round. However, such persisted symbols in Barrie do not anticipate deactivating any of the reels. Additionally, the Office Action stated that "Barrie is silent with respect to a physical reel configuration, which includes one or more active reels." Vancura does not remedy Barrie in this regard.

Vancura discloses a gaming device with a primary slot machine and a secondary slot machine. According to the Office Action, the reels of the primary slot machine and/or the reels of the secondary slot machine include one or more active reels. The Office Action suggests that it would be obvious for one skilled in the art to provide

persistence indicators or symbols, as disclosed by Barrie, on the reels of the primary slot machine and/or the secondary slot machine disclosed by Vancura.

Regardless of whether such combination or modification could be made, the proposed combination of Barrie and Vancura does not render obvious a casino gaming apparatus as in independent Claim 24. More specifically, the gaming device of the proposed combination of Barrie and Vancura does not render obvious a processor programmed to (i) identify a predetermined symbol combination occurring on the display grid during the standard mode of operation to activate the bonus mode of operation, and during the bonus mode of operation, in the same play of the game, the processor programmed to (ii) randomly present symbols via a physical reel configuration which includes one or more active reels having corresponding reel strips, (iii) provide an award, if any, based on the symbols randomly presented via any of the active reels, (iv) deactivate any of the active reels presenting a discontinue symbol, (v) determine which active reels, if any, have been deactivated, and (vi) repeat the random presentation of symbols without placement of another wager, the provision of an award, if any, and the deactivation of the reels, in the same play of the bonus game.

Neither the persistence symbols of Barrie nor the end-game symbols of Vancura constitute a discontinue symbol as in independent Claim 24. That is, neither the persistence symbols of Barrie nor the end-game symbols of Vancura deactivate one of the reels (i.e., cause an active reel to become deactivated or inactive). As described above, the persistence symbols of Barrie cause certain indicators or symbols to remain the same (i.e., do not change) through multiple rounds of a game. The end-game symbols in Vancura (e.g., "lose" or "stop") are accumulated to cause a bonus event in Vancura to end. Vancura discloses to spin and stop all the reels for one or more subsequent spins until the number of end-game symbols reaches a predetermined count. Thus, even if certain symbols persist in Vancura's bonus game, as disclosed by Barrie, none of the persisted symbols or end-game symbols deactivate one of the reels. Accordingly, the proposed combination of Barrie and Vancura does not render obvious the casino gaming apparatus of independent Claim 24.

Like Barrie, Vancura discloses to accumulate any awards based on the symbols that occur on the reels of a slot machine. The awards accumulate through an initial spin

and any subsequent spins of the reels. Such awards in Barrie and Vancura are based on symbols presented by all of the reels. That is, the proposed combination of Barrie and Vancura does not provide an award based on symbols presented by active reels because the awards are accumulated based on symbols presented on all of the reels, not the active reels. For at least these reasons, the proposed combination of Barrie and Vancura does not render obvious each and every element of independent claim 24 and its dependent claims. Applicants respectfully submit that independent Claim 24 and its dependent claims are patently distinguished from the proposed combination of Barrie and Vancura and in condition for allowance.

Claims 25, 26, 28, 30-33, and 37 depend from Claim 24 and are in condition for allowance for the reasons given above with respect to Claim 24, and because of the additional features recited in these claims.

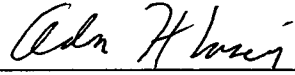
Independent Claim 34 is patently distinguished over the proposed combination of Barrie and Vancura for similar reasons as given above with respect to independent Claim 24. Claim 38 depends from independent Claim 34 and is in condition for allowance for the reasons given above with respect to Claim 34, and because of the additional features recited in this claim.

For at least the reasons given above, the proposed combination of Barrie and Vancura does not render obvious each and every element of independent claim 1 and its dependent claims 2-23. Applicants respectfully submit that independent Claim 1 and its dependent claims 2-23 are patently distinguished from the proposed combination of Barrie and Vancura and in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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